

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

SADIE HACKLER, on behalf of herself
and all others similarly situated,

Plaintiff,

V.

TOLTECA ENTERPRISES, INC. d/b/a
PHOENIX RECOVERY GROUP,

Defendant.

§
§
§
§
§
§
§
§
§
§

Case No. 5:18-CV-00911-XR

**ADVISORY TO THE COURT REGARDING
STATUS OF CASE and UNOPPOSED REQUEST OF ABATE DEADLINES**

Plaintiff and Class Representative Sadie Hackler, by and through her counsel of record, advise the Court that:

1. This case is set for jury trial on July 12, 2021. The Final Joint Pre-trial Order is due April 30, 2021. Plaintiff's Pre-trial disclosures are due May 3, 2021.

2. During the course for exchanging the joint pre-trial order the parties reached and filed with the Court stipulations of fact that, along with the prior partial summary judgment on liability, obviate the need for a trial. See stipulations filed at ECF #57, 59.

3. The remaining unresolved issue is attorney's fees and expenses. The parties will continue to try to resolve this issue.

4. If this last issue is resolved by agreement, pursuant to Rule 23 (e), the parties will file a motion for the Court's approval of their settlement.

5. If the last issue is not resolved by agreement, Plaintiff will file a motion to enter judgment and a proposed judgment that will grant Plaintiff and the Class relief

consistent with the stipulations and require that the parties proceed pursuant to Local Rule CV-7 (j) and F.R.Civ.P. 54.

The parties respectfully request to be excused from complying with the pre-trial scheduling order and further deadlines in this case. The parties request that they be given until June 1, 2021 to file the either of the motions referred to above.

Respectfully submitted,

LAW OFFICE OF BILL CLANTON, P.C.
926 Chulie
San Antonio, TX 78216
(210) 226 0800 Telephone
(210) 338 8660 Facsimile

BINGHAM & LEA, P.C.
319 Maverick Street
San Antonio, Texas 78212
(210) 224-1819 Telephone
(210) 224-0141 Facsimile

BY: Benjamin R. Bingham
BENJAMIN R. BINGHAM
State Bar No. 02322350
ben@binghamandlea.com
WILLIAM M. CLANTON
State Bar No. 24049436
bill@clantonlawoffice.com

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I certify by my signature below that on April 28, 2021, I have caused a true and correct copy of the above and foregoing to be served on all counsel of record through the Court's Electronic Filing Noticing System.

Tom Clarke

Tclarkeatty7@aol.com

LAW OFFICES OF TOM CLARKE

8026 Vantage Dr., #105

San Antonio, Texas 78230

Counsel for Defendant

Benjamin R. Bingham

WILLIAM M. CLANTON

BENJAMIN R. BINGHAM